



Entered on Docket
July 13, 2010

A handwritten signature in black ink, appearing to read "Mike Nakagawa".

Hon. Mike K. Nakagawa
United States Bankruptcy Judge

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E-FILED: January 4, 2010

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In Re:

**Benjamin J. Kleckner and Linda D.
Kleckner,**

Debtor(s).

) Case No. BKS-09-2521⁵-MKN
) Chapter 13
)
)
) Hearing Date: December 17, 2009
) Hearing Time: 2:30 P.M.
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)
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**ORDER ON MOTION TO VALUE COLLATERAL, "STRIP OFF" AND
MODIFY RIGHTS OF U.S. BANK NA (ACCT ENDING IN 8379) (PROOF OF
CLAIM NO. 2-1) PURSUANT TO 11 U.S.C. §506(a) AND §1322 BY DEBTORS**

THE ABOVE MATTER having been heard at the time and date above the Court Finds as follows:

1. The Debtors' property located at 3580 CANTURA CREST COURT, NORTH LAS VEGAS, NEVADA 89031 (the "Subject Property") is valued at \$168,000.00.

2. That on the filing date of the instant Chapter 13 petition, U.S. BANK NA (ACCT ENDING IN 8379) (PROOF OF CLAIM NO. 2-1)'s claim was wholly unsecured.

IT IS THEREFORE ORDERED THAT U.S. BANK NA (ACCT ENDING IN 8379) (PROOF OF CLAIM NO. 2-1)'s secured claim is "Stripped off" and shall be avoided pursuant to 11 U.S.C. Section 506(a) upon completion and/or discharge of the Debtors' Chapter 13;

IT IS FURTHER ORDERED THAT U.S. BANK NA (ACCT ENDING IN 8379) (PROOF OF CLAIM NO. 2-1)'s secured rights and/or lien-holder rights in the Subject Property shall be terminated upon completion of the Debtors' Chapter 13 and U.S. BANK NA (ACCT ENDING IN 8379) (PROOF OF CLAIM NO. 2-1)'s claim shall be treated as an "unsecured" claim in the Debtors' Chapter 13;

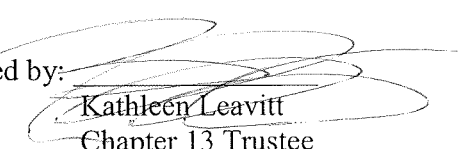
IT IS FURTHER ORDERED THAT in the event the instant Chapter 13 matter is dismissed or converted to a Chapter 7 proceeding the instant Order shall be vacated.

DATED January 4, 2010

HAINES & KRIEGER, L.L.C.

By: /s/George Haines, Esq.
George Haines, Esq.
Attorney for Debtor(s)

Approved by:


Kathleen Leavitt
Chapter 13 Trustee

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ALTERNATIVE METHOD re: RULE 9021:

In accordance with LR 9021, counsel submitting this document certifies as follows (check one):

☐ The court has waived the requirement of approval under LR 9021.

☒ This is a Chapter 7 or 13 case, and either with the motion, or at the hearing, I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

APPROVED: Kathleen Leavitt

DISAPPROVED:

FAILED TO RESPOND:

☐ I certify that I have served a copy of this order with the motion, and no parties appeared or filed written objections.

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